

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

SAMUEL E. BULLOCK, <i>Pro Se</i> ,	)	Case No.: 5:14 CV 1634
	)	
Plaintiff	)	
	)	JUDGE SOLOMON OLIVER, JR.
v.	)	
	)	
COMMISSIONER OF SOCIAL	)	
SECURITY,	)	
	)	
Defendant	)	<u>ORDER</u>

The Commissioner of Social Security (the “Commissioner”) denied Plaintiff Samuel E. Bullock’s (“Plaintiff”) claim for a Period of Disability and Disability Insurance Benefits under 42 U.S.C. §§ 416(I), 423 *et seq.* Plaintiff sought judicial review of the Commissioner’s decision. The court referred the case to Magistrate Judge Greg White for preparation of a Report and Recommendation (“R&R”). On October 27, 2014, the Commissioner filed an Answer and Transcript (ECF Nos. 12, 13). Subsequently, Plaintiff’s Brief on the Merits was due by December 26, 2014. On January 23, 2015, the Magistrate Judge issued an Order to Show Cause (ECF No. 15), ordering Plaintiff to file his Brief on the Merits by February 9, 2015, and to show cause by that same date as to why his case should not be dismissed for want of prosecution. On February 9, 2015, Plaintiff filed a Motion for Extension of Time (ECF No. 16), requesting an additional thirty days to “correct [his] mistakes,” which the Magistrate Judge granted. Plaintiff did not file a Brief on the Merits, but filed an “Answer” (ECF No. 17) on March 10, 2015. Magistrate Judge White filed his R&R (ECF No. 18) on April 15, 2015, recommending that the court dismiss the action for want of prosecution or, in the alternative, affirm the Commissioner’s decision.

The Magistrate Judge determined that Plaintiff’s “Answer” could not reasonably be

construed as a Brief on the Merits because it contained no legal argument and simply stated that the ALJ's decision was not supported by substantial evidence. The Magistrate Judge concluded that, even liberally construing Plaintiff's pleadings, Plaintiff has not presented any legal argument as to why the ALJ's decision should be vacated despite having been given several opportunities to make such argument. Consequently, the Magistrate Judge recommended that the court dismiss Plaintiff's Complaint for want of prosecution. Alternatively, the Magistrate Judge recommended that the court affirm the Commissioner's decision because Plaintiff failed to demonstrate that the ALJ's decision was not supported by substantial evidence or that the ALJ applied incorrect legal standards.

As of the date of this Order, no objections had been filed to the R&R, thereby waiving the right to appeal the Magistrate Judge's recommendation. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140 (1985).

The court finds, after careful *de novo* review of the Magistrate Judge's R&R and all other relevant documents in the record, that the Magistrate Judge's conclusions are fully supported by the record and controlling case law. Accordingly, the court adopts as its own the Magistrate Judge's Report and Recommendation (ECF No. 18) and dismisses Plaintiff's Complaint for want of prosecution.

IT IS SO ORDERED.

/s/ SOLOMON OLIVER, JR.  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

April 30, 2015